

S. R. No. 396—By Senator Watson: Memorial resolution for Charles K. Burns.

S. R. No. 397—By Senator Watson: Memorial resolution for J. W. Gay.

S. R. No. 398—By Senator Watson: Memorial resolution for J. Bruce Duncan.

S. R. No. 399—By Senator Watson: Memorial resolution for Alva D. Mabray.

S. R. No. 400—By Senator Watson: Memorial resolution for Jerry B. Schiller.

S. R. No. 403—By Senators Watson, Wallace, Jordan, Brooks, and Grover: Memorial resolution for Newton A. Bryson.

S. R. No. 408—By Senators Kennard and Blanchard: Memorial resolution for Floyd Stanley Pearson.

#### Welcome and Congratulatory Resolutions

S. R. No. 386—By Senator Wallace: Extending congratulations to Mr. and Mrs. Norman W. Dorsey, Sr., on the occasion of their fiftieth wedding anniversary.

S. R. No. 389—By Senator Herring: Extending welcome to sixth grade students from St. Elmo Elementary School.

S. R. No. 401—By Senator Herring: Extending welcome to teacher and students of Travis Heights Elementary School of Austin.

S. R. No. 402—By Senator Watson: Extending welcome to Don Kelley, et al.

S. R. No. 405—By Senator Aikin: Extending welcome and privileges of the floor for today to Mrs. Frank G. Harmon, et. al.

S. R. No. 406—By Senator Brooks: Extending welcome to Texans attending Environmental Education Conference.

S. R. No. 407—By Senator Harrington: Extending welcome and privileges of the floor for today to Frank Arnaud, et al.

#### Adjournment

On motion of Senator Aikin the

Senate at 12:00 o'clock adjourned until 10:00 o'clock a.m. tomorrow.

#### APPENDIX

Sent to Governor

February 17, 1971

S. C. R. No. 24

#### TWENTY-THIRD DAY

(Thursday, February 18, 1971)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Harris

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leave of Absence

Senator Harris was granted leave of absence for today on account of illness on motion of Senator Harrington.

#### Reports of Standing Committees

Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

S. B. No. 187.  
 S. B. No. 60.  
 H. B. No. 102.  
 S. B. No. 241.  
 S. B. No. 136 (Amended).  
 S. B. No. 217.  
 S. B. No. 180.  
 S. B. No. 179.  
 S. B. No. 43 (Amended).  
 S. B. No. 215.  
 S. B. No. 65.  
 C. S. S. B. No. 33 (Read first time).  
 S. B. No. 55.  
 S. B. No. 212 (Amended).

Senator Blanchard submitted the following reports for the Committee on Insurance:

S. B. No. 221 (Amended).

C. S. S. B. No. 101 (Read first time).

Senator Moore submitted the following report for the Committee on State Affairs:

S. B. No. 251.

#### Message From the House

Hall of the House of Representatives  
 Austin, Texas,  
 February 18, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 15, A bill to be entitled "An Act making provision for cost of living increases in present and future firemen and policemen's pensions in certain cities; amending Chapter 105, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6243f, Vernon's Texas Civil Statutes), by adding a Section 26A; providing for severability; and declaring an emergency."

H. C. R. No. 42, Condemning North Vietnam and the Viet Cong for their

inhuman and barbarous treatment of Americans imprisoned by them.

H. C. R. No. 43, In memory of Mrs. Oscar J. Sexton.

H. C. R. No. 45, Congratulating Dr. Blanche Phillips, Texas Home Economics of 1971.

Respectfully submitted,  
 DOROTHY HALLMAN,  
 Chief Clerk, House of Representatives

#### Senate Bills on First Reading

The following bills were introduced, read first time and referred to the Committee indicated:

By Senator McKool:

S. B. No. 353, A bill to be entitled "An Act relating to the cancellation or non-renewal of automobile liability insurance policies; amending Subchapter A, Chapter 5, the Texas Insurance Code, as amended, by adding Article 5.06a; and declaring an emergency."

To Committee on Insurance.

By Senator Mauzy:

S. B. No. 354, A bill to be entitled "An Act relating to qualifications for membership to the Texas State Board of Trustees for the Teacher Retirement System; amending Section 1, Chapter 41, Acts of the 61st Legislature, 1969; and declaring an emergency."

To Committee on Education.

By Senator Mauzy:

S. B. No. 355, A bill to be entitled "An Act amending Section 36 of the Texas Probate Code relating to the duty and responsibility of county and probate judges; and declaring an emergency."

To Committee on Jurisprudence.

By Senator Mauzy:

S. B. No. 356, A bill to be entitled "An Act amending Articles 16.28 and 17.22, Texas Insurance Code, as amended, making farm mutual insurance companies subject to the provisions of Articles 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5.08, 5.09, 5.10, 5.11, and 5.12, Texas Insurance Code, as amended, relating to the regulation of motor vehicle insurance; making county mutual insurance companies subject to the provisions of Articles 5.01, 5.02,

5.03, 5.04, 5.05, 5.06, 5.06-1, 5.06-2, 5.07, 5.08, 5.09, 5.10, and 5.11, Texas Insurance Code, as amended, relating to the regulation of motor vehicle insurance; providing for severability; and declaring an emergency."

To Committee on Insurance.

By Senator Mauzy:

S. B. No. 357, A bill to be entitled "An Act relating to the salaries of purchasing agents in certain counties; amending Subsection (f), Section 1, Chapter 9, Special Laws, page 602, Acts of the 46th Legislature, 1939, as amended; and declaring an emergency."

To Committee on County, District and Urban Affairs:

By Senator Christie:

S. B. No. 358, A bill to be entitled "An Act providing for the licensing and regulation of private vocational schools and certain solicitors for them; providing penalties; declaring the Act to be severable; and declaring an emergency."

To Committee on Education.

By Senator Kennard:

S. B. No. 359, A bill to be entitled "An Act amending Subsection (a) of Section 2, Chapter 11, Acts of the 59th Legislature, 1965, (Article 6008c, Vernon's Texas Civil Statutes); relating to definition of any interested owner authorized to invoke provisions of Article 6008c and to apply for the pooling of mineral and royalty interests in oil or gas reservoirs, said definition to include any interested royalty or working interest owner in the effective acreage to be pooled; and declaring an emergency."

To Committee on Oil and Gas.

By Senator Watson:

S. B. No. 360, A bill to be entitled "An Act limiting the amount of group life insurance which may be issued to a creditor to insure agricultural or horticultural debtors with seasonal income; amending Section 1(4)(a), Article 3.50, of the Texas Insurance Code, as amended; and declaring an emergency."

To Committee on Agriculture and Livestock.

(President in Chair.)

By Senators Schwartz and Mauzy:

S. B. No. 361, A bill to be entitled

"An Act appropriating funds to the Texas Water Quality Board for grants to local units of government for waste water treatment facilities; and declaring an emergency."

To Committee on Finance.

#### House Bills on First Reading

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 37, To Committee on County, District and Urban Affairs.

H. B. No. 357, To Committee on Parks and Wildlife.

H. B. No. 396, To Committee on Parks and Wildlife.

H. B. No. 283, To Committee on County, District and Urban Affairs.

H. B. No. 2, To Committee on County, District and Urban Affairs.

H. B. No. 15, To Committee on County, District and Urban Affairs.

#### Message From the Governor

The following message received from the Governor was read and referred to the Committee on Nominations:

Austin, Texas,  
February 17, 1971.

To the Senate of the Sixty-second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be Members of the State Seed and Plant Board: For two-year terms to expire October 6, 1972: Grady C. Clark, Jr. of Corpus Christi, Nueces County; Wilmer Smith of Wilson, Lynn County; Heino Staffel, Jr. of Austin, Travis County.

Respectfully submitted,  
PRESTON SMITH,  
Governor of Texas

#### Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S. C. R. No. 26.

S. C. R. No. 22.

S. C. R. No. 25.

**Co-author of Senate Bill 303**

On motion of Senator Harrington and by unanimous consent, Senator Bernal will be shown as Co-author of S. B. No. 303.

**Co-author of Senate Bill 221**

On motion of Senator Mauzy, and by unanimous consent, Senator Harrington will be shown as Co-author of S. B. No. 221.

(President Pro Tempore in Chair.)

**House Concurrent Resolution 45 on Second Reading**

The President Pro Tempore laid before the Senate the following resolution:

H. C. R. No. 45, Congratulating Dr. Blanche Phillips, Texas Home Economist of 1971.

The resolution was read.

On motion of Senator Wilson and by unanimous consent, the resolution was considered immediately and was adopted.

By unanimous consent, Senator Wilson presented Dr. Phillips to the Members of the Senate.

**House Bill 115 on Second Reading**

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 115 (the bill having been read second time on yesterday).

Question—Shall H. B. No. 115 be passed to third reading?

Senator Word offered the following amendment to the bill:

Amend H. B. No. 115, by deleting all of Sec. 3 and Sec. 4, and substituting the following:

"Sec. 3. The width, height, length and weight of each vehicle or combination thereof shall conform to the requirements of Article 827a, Revised Penal Code of Texas, and nothing in this act shall be construed to repeal any other provisions of the statutes other than the necessity to secure a permit from the Texas Highway Department to operate a combination of vehicles hauling pipe or poles."

And renumbering the remaining sections.

WORD  
HALL

The amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

**House Bill 115 on Third Reading**

Senator Snelson moved that Senate Rule 30 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 115 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Harris

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Creighton
Bates	Grover
Beckworth	Hall
Bernal	Harrington
Blanchard	Herring
Bridges	Hightower
Brooks	Jordan
Christie	Kennard
Connally	Kothmann

Mauzy	Sherman
McKool	Snelson
Moore	Wallace
Patman	Watson
Ratliff	Wilson
Schwartz	Word

Absent—Excused

Harris

#### Committee to Select Poet Laureate

The President Pro Tempore announced the appointment by the President of the following Senate Members to the Committee to Select the Poet Laureate of Texas pursuant to the provisions of S. C. R. No. 11: Senators Harrington and Hightower.

#### Committee Appointed

Pursuant to the provisions of S. C. R. No. 24, the President Pro Tempore announced the appointment by the President of the following as a Committee to Escort Governor Preston Smith to the Joint Session: Senators Ratliff, Wallace, Sherman, Kothmann, and Blanchard.

#### House Concurrent Resolution 12 on Second Reading

The President Pro Tempore laid before the Senate the following resolution:

H. C. R. No. 12, Memorializing Congress to reorganize the federal welfare system.

The resolution was read.

On motion of Senator Bernal, the resolution was considered immediately and was adopted.

#### Record of Vote

Senator Connally asked to be recorded as voting "Nay" on the adoption of the above resolution.

#### House Bill 224 on Second Reading

Senator Hall moved that Senate Rules 13 and 110 be suspended and that H. B. No. 224 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to third reading:

H. B. No. 224, A bill to be entitled "An Act amending Chapter 88, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended, by adding a new section to provide that certain truck-tractors or commercial motor vehicles and semitrailers be registered in combination and establishing the registration fee rate therefor; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 224 on Third Reading

Senator Hall moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 224 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Harris

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
February 18, 1971.

Hon Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 27, In memory of  
Monroe Odom.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Bill 67 on Second Reading

Senator Herring moved that Senate Rules 13 and 110 be suspended and that S. B. No. 67 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 67, A bill to be entitled "An Act amending Statutes by deleting therefrom the requirement that reports of Highway Department employment physical examinations be notarized by the examining physician; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 67 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 67 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Harris

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Harris

(President in Chair.)

#### Presentation of Guest

The President presented as a guest of the Senate today the Honorable Birch Bayh, United States Senator from Indiana.

Senator Bayh addressed the Senate, expressing his pleasure at being a guest of the Senate today.

The Members of the Senate gave Senator Bayh a standing ovation.

(President Pro Tempore in Chair.)

#### Senate Bill 49 on Second Reading

Senator Connally moved that Senate Rules 13 and 110 be suspended and that S. B. No. 49 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 49, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporter for the 81st Judicial District; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 49 on Third Reading

Senator Connally moved that the Constitutional Rule and Senate Rule

30 requiring bills to be read on three several days be suspended and that S. B. No. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Herring	Wilson
Hightower	Word

## Absent—Excused

Harris

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Senate Bill 50 on Second Reading

Senator Connally moved that Senate Rules 13 and 110 be suspended and that S. B. No. 50 be taken up for consideration at this time.

The motion prevailed.

The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 50, A bill to be entitled "An Act amending Statutes to supplement the salary of the District Attorney of the 81st Judicial District; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 50 on Third Reading

Senator Connally moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 50 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Herring	Wilson
Hightower	Word

## Absent—Excused

Harris

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## House Concurrent Resolution 39 on Second Reading

The President Pro Tempore laid before the Senate the following resolution:

H. C. R. No. 39, Commending the Adolph Coors Company of Golden, Colorado, on its "cash-for-cans" aluminum recovery program.

The resolution was read.

On motion of Senator Wallace and by unanimous consent, the resolution was considered immediately and was adopted.

## Motion to Adjourn

On motion of Senator Aikin and by unanimous consent the Senate agreed to stand adjourned at the conclusion of the Joint Session until 11:00 o'clock a.m. Monday, February 22, 1971.

## Joint Session

(To hear address of The Honorable Preston Smith, Governor of The State of Texas)

The President announced at 11:00 o'clock a.m., the time had arrived to hear an address by Governor Preston Smith, pursuant to the provisions of S. C. R. No. 24.

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 11:00 o'clock a.m.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

On invitation of the Speaker of the House, the President occupied a seat on the Speaker's Rostrum.

The Honorable Preston Smith, Governor of The State of Texas, was escorted to the Speaker's Rostrum by Senators Ratliff, Wallace, Sherman, Kothmann and Blanchard, on the part of the Senate, and Representatives Holmes of Hood, Moncrief, Nelms, Jungmichel, Atwell, Floyd, Smith, Garcia, Cates and Nugent, on the part of the House.

The President called the Senate to order, and announced a quorum of the Senate present.

Honorable Gus Mutscher, Speaker of the House of Representatives, called the House to order and announced a quorum of the House present and stated the purpose of the Joint Session.

The Speaker, The Honorable Gus Mutscher, then presented His Excellency, The Honorable Preston Smith, Governor of Texas, to the Joint Session.

Governor Smith then addressed the Joint Session as follows:

"Mr. Speaker, Lieutenant Governor Barnes, Members of the Legislature, and Guests:

"My appearance before you today is for the purpose of tax and budget recommendations:

"Speaking with total frankness, I did not expect to have to come back before you to discuss the topic of taxes.

"In my opening message to the Legislature last month, I made recommendations on how I felt it would be best to finance our government for the next biennium.

"I had hoped that we could avoid additional taxes.

"My proposal to you at that time was what I consider the best, most businesslike approach to our financing the State for the next biennium. How-

ever, portions of my original proposal were not accepted, and you have requested by concurrent resolution that I appear again before you in joint session to provide alternate revenue proposals.

"There is one portion of my earlier program which is still very much alive, and which I think is gaining ground every day.

"I am most encouraged by our progress in the endeavor to provide total federal funding of welfare. Many of our key Congressmen are expressing optimism and preference to this idea rather than the President's revenue-sharing plan.

"We have evidence that the State's share of public welfare costs will be substantially lower than we estimated last December.

"Congressman Wilbur Mills, chairman of Ways and Means in the U. S. Congress, has stated he would start federalization of the welfare program gradually, but once started, he would be determined to go all the way.

"It has been my privilege to have personally talked with other governors and to have contacted each of them stating my views.

"My office has corresponded with every single Congressman and Senator in Washington. We have again stressed our views to the President and key members of the Administration.

"Our own welfare commissioner, Mr. Burton Hackney, has contacted his counterparts in other States, both in person and by telephone.

"This is not the time to let up, but rather to strengthen our determination. On every hand, we find optimism—optimism that something will indeed be done during the next few months along the lines proposed.

"This approach to solving our welfare problem will eventually be the single most significant step toward saving the State from fiscal ruin. If we are totally successful, by June 1972, then there will be no need for a special session to fund the second half of welfare.

"If we are only partially successful, there may be enough relief in sight to get around the imposition of additional taxes in a special session.

"If, however, there is a need for a special session, it will be called for

welfare funding alone.

"I said last month, and I will repeat it now, nothing in this welfare proposal now before you suggests that Texas will default on any of its obligations to its welfare recipients.

"We are hoping and working for an improvement.

"Texas welfare recipients will be far better off under a more uniform nationwide program.

"We are not changing our original recommendations for State spending for other programs for the 1972-73 fiscal period.

"Based on current action which is being taken to provide emergency welfare appropriations, and after taking into account an anticipated upward revision of the Comptroller's Biennial Revenue Forecast, it is estimated that my spending proposals will require approximately \$420 million in additional taxes.

"My recommendations for raising the additional \$420 million are as follows:

1. I recommend that the rate of the general sales tax be raised to 4 per cent, effective July 1, 1971. This will raise an anticipated \$300 million.

"I believe, and I think that you will agree, that increasing the rate of the sales tax is a more acceptable solution than removing exemptions.

"As long as we continue to exempt food and drugs under the Texas sales tax, the burden of the sales tax is far lower in Texas than it is in practically any other state.

Increasing the rate to 4 per cent will cost a family of four with an annual income of \$10,000, about \$20 more a year.

2. My second recommendation is that the tax rate on the sale of motor vehicles be increased from 3 per cent to 4 per cent to raise an additional \$70 million during the biennium.

3. My third and final recommendation is that tuition for non-resident students in our state-supported colleges and universities be raised from \$200 to \$500 per semester.

"Also, that the tuition for Texas residents be increased from \$50 per semester to \$125 per semester.

"These increases in tuition will produce an additional \$100 million during the next two-year fiscal period. Yet, we find that the cost of attend-

ing college in Texas will still be low compared to other States.

"We realize that the students attending institutions of higher education cannot and should not be expected to bear all the costs of their education.

"This, of course, raises the question of how much of the cost of education should students themselves be expected to bear?

"There is no magic answer to this question; however, I believe it is certainly obvious that both the State and the student have the obligation to share these costs.

"Tuition charges in Texas institutions have always been low, and I think we should continue keeping these charges reasonable.

"While tuition charges at colleges throughout the nation have been increasing constantly, tuition at Texas public colleges has changed only once since it originated in 1933.

"In 1957, the original fee of \$25 per semester for Texas residents was increased to \$50. This rate has now been in effect for 13 years, notwithstanding an increase of over 350 per cent in appropriations to the public colleges and universities.

"A nationwide survey of 350 colleges and universities showed that 90 per cent of these institutions are charging tuition and required fees in excess of those charged Texas residents.

"The same survey showed that 96 per cent of these institutions charged higher non-resident fees than are charged to non-residents by Texas colleges.

"Higher tuition charges need not restrict the opportunity to those qualified students who lack the necessary financial resources to pay required tuition and fees.

"The Executive Document which I presented on January 20th of this year, provides an additional one million dollars each year for student fellowships and scholarships.

"This new expanded student aid program, coupled with the existing student loan programs, should open the doors of educational opportunity to even greater numbers of deserving Texas youth who are in financial need.

\* \* \*

"These three recommendations which

I have just made will produce approximately \$470 million in additional revenue, about \$50 million more than my spending proposals require.

"We should start now to develop a reserve to meet built-in needs that can now be projected with substantial accuracy.

"By starting now, I think the prospects are good that we can avoid additional taxes during the 1972-73 biennium even if our efforts to shift the cost of welfare to the federal government are only partially successful.

\* \* \*

"Let me return now to the over-all budget and tax picture.

"I have repeatedly stated throughout these remarks that my recommendations are on a two-year basis. I want each one of you to hear me say to you that my position on a one-year versus a two-year budget has not changed from what it was on June 20, 1969. I vetoed a one-year appropriations bill on that date.

"In August of 1969, the people of Texas expressed their views at the polls on the subject, and there is no reason why we should not enact a biennial appropriations bill.

"As I conclude, let me leave you with this thought:

"There is much to be done. This Legislative Session has had an unusual beginning. But, it can have a successful ending only if we all forget petty differences and personal quarrels and work together.

"This we must do to keep faith with the people of Texas. This, I believe, we will do in the days and weeks ahead.

"My office is always open to you, as it always has been, if you feel that I can be helpful."

#### Memorial Resolutions

S. R. No. 409—By Senator McKool: Memorial resolution for Mrs. Edna B. Zapalac.

S. R. No. 411—By Senator Hightower: Memorial resolution for Staff Sergeant Robert Anthony Denton.

S. R. No. 414—By Senator Watson: Memorial resolution for Reverend T. H. Burton.

S. R. No. 415—By Senator Watson: Memorial resolution for Melvin Allard Lipsitz.

S. R. No. 416—By Senator Watson: Memorial resolution for Lieutenant Joe A. Perry.

S. R. No. 417—By Senator Watson: Memorial resolution for Mrs. Hollis A. Dalton.

S. R. No. 418—By Senator Watson: Memorial resolution for Dr. Edgar Otto Wood.

S. R. No. 419—By Senator Watson: Memorial resolution for John L. Broadway, Jr.

S. R. No. 420—By Senator Watson: Memorial resolution for James Wistar Johnson.

S. R. No. 421—By Senator Watson: Memorial resolution for Burney F. Mansell.

S. R. No. 422—By Senator Watson: Memorial resolution for Frank M. Maddox, Jr.

S. R. No. 423—By Senator Watson: Memorial resolution for Mrs. Ara Minpa Chambers.

S. R. No. 424—By Senator Watson: Memorial resolution for Carl C. Riley.

S. R. No. 425—By Senator Watson: Memorial resolution for Frank Tirey, Jr.

#### Welcome and Congratulatory Resolutions

S. R. No. 410—By Senator McKool: Extending congratulations to Mr. and Mrs. Ron Clower.

S. R. No. 412—By Senator Watson: Extending welcome to Dennis Bartek.

S. R. No. 413—By Senator McKool: Extending welcome to Edward C. Fritz.

#### Adjournment

The President announced the purpose of the Joint Session having been concluded and declared the Senate at 11:16 o'clock a.m. would stand adjourned until 11:00 o'clock a.m., Monday, February 22, 1971 in accordance

with a motion previously adopted in the Senate.

## APPENDIX

### Sent to Governor

February 18, 1971

S. C. R. No. 26

S. C. R. No. 22

S. C. R. No. 25

### TWENTY-FOURTH DAY

(Monday, February 22, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Jordan	

### Absent—Excused

Blanchard                      Hightower

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 18, 1971 was dispensed with and the Journal was approved.

### Leaves of Absence

Senator Hightower was granted leave of absence for today on account

of important business on motion of Senator Aikin.

Senator Blanchard was granted leave of absence for today on account of important business on motion of Senator Watson.

### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
February 22, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 28, Correcting S. B. No. 228.

S. B. No. 256, A bill to be entitled "An Act providing for temporary suspension of allocations of certain funds out of the Omnibus Tax Clearance Fund; and declaring an emergency."

H. B. No. 499, A bill to be entitled "An Act appropriating funds to the Attorney General's Office, the Industrial Accident Board, and the Comptroller of Public Accounts; transferring out of current appropriations to the House of Representatives funds to finance the appropriations authorized in this Act; and declaring an emergency."

H. B. No. 229, A bill to be entitled "An Act relating to the assessment equalization and collection of taxes by the Lovelady Independent School District; amending Section 4, Chapter 33, Special Laws, 36th Legislature, 2nd Called Session, 1919; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

### Reports of Standing Committees

Senator Mauzy submitted the following report for the Committee on Education:

H. B. No. 84.

Senator Watson submitted the following report for the Committee on Insurance:

S. B. No. 31 (Amended.)